

Remarks/Arguments:

Claims 1-18 were originally pending in the application. Claims 1, 4, 8-11, 13, 14, and 16-18 are amended and claims 19-27 are newly added. Support for new claims 19-27 can be found in the specification, for example, on page 9 lines 1-5. Therefore, claims 1-27 are now pending in the present application.

The Examiner has kindly noted that no drawing was included with the application. As acknowledged by the U.S. Patent & Trademark Office, the drawing was received with the application. A copy of the date-stamped postcard is attached, as well as a copy of the drawing for the Examiner's convenience. No new matter is introduced by the drawing.

Claims 1-18 stand objected to based on various informalities. The claims have been amended accordingly. The abstract stands objected to based on the reasons set forth in the Office Action. The phrase "The invention relates to" and "cm" have been amended. The abstract has also been amended to comport with the proper language and format for an abstract. It is requested that the Examiner's objections be withdrawn.

The Office Action rejects claims 4, 8, 9, 13, and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as their invention.

The applicants have amended claim 13 as suggested by the Examiner, as well as claims 4, 8, 9, and 16 to overcome the rejections under Section 112, second paragraph. In claim 4, the term "the pressure" lacked antecedent basis and has therefore been modified to the term "a pressure." In claims 4 and 9, the word "overpressure" has been qualified by the phrase "compared to atmospheric" to eliminate any ambiguity. Claims 8 and 16 have been amended from "amplitude and/or repetition frequency" to "at least one of said pressure amplitude and said repetition frequency." Claim 9, which was deemed unclear because the measuring of pressure lacked antecedent basis and the structure to enable the measuring of the pressure was not claimed, has been amended to eliminate that unnecessary term. Claim 13 has been amended from "assisting the return" to include the Examiner's suggested phrase "assisting the return of body fluids". Consequently, the applicants have amended claims 4, 8, 9, 13, and 16 to more clearly define the claimed invention and believe that the claims are in compliance with Section 112, second paragraph.

Claims 1, 2, and 9-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Gardner et al. (U.S. Patent No. 5,634,889). Claim 3 stands rejected to under 35 U.S.C. § 103(a) as being unpatentable over Gardner et al. in view of Raines (U.S. Patent No. 6,152,881). Claims 4-8 stand rejected to under 35 U.S.C. § 103(a) as being unpatentable over Gardner et al. in view of Harada et al. (U.S. Patent No. 4,928,701). It is respectfully submitted that the pending claims, as amended, are patentable over the art of record for the reasons set forth below.

Applicants' invention, as recited by amended claim 1, includes features which are neither disclosed nor suggested by the art of record. For example,

[a] device for mobile use...wherein said miniature pressure generator is secured directly to the cuff or secured to the body or secured to clothing and pressurizes said cuff with an overpressure, compared to atmospheric pressure, in a range between 20 mm Hg and 100 mm Hg...

This means that the device for intermittent compression of human extremities is a readily portable device for mobile use comprising a cuff attachable to an extremity and a miniature pressure generator for pressurizing the cuff. The miniature pressure generator can be secured directly to the cuff or secured to the body or clothing. The user can then use the portable device, which can easily be carried around, in many different locations throughout the day, for example at home, while travelling, while at work, or while sleeping. This feature is found in the originally filed application, for example, at page 9 lines 1-5. No new matter has been added.

This new feature is neither disclosed nor suggested in Gardner et al. Gardner et al. discloses a medical device for intermittently pulsed compression of proximal joint and adjacent body tissue of the human body. Gardner et al. utilizes a single chamber cuff and a pressure generating AVI foot-pump system. The current invention is different from Gardner et al. in that the current invention discloses utilizing a pressure generator that can be secured directly to the cuff or secured to the body or to clothing. Unlike Gardner et al., which requires a pressure generator that must be positioned in a fixed location during operation, the current invention is not so limited. The current invention offers the user a simple, compact device allowing great mobility, even during operation, that the Gardner et al. invention does not

provide. Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

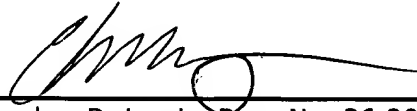
Amended independent claims 13 and 14 and newly added independent claim 19 include features similar to claim 1, which are neither disclosed nor suggested by the art of record. For the same reasons that claim 1 is allowable, amended independent claims 13, 14, and newly added independent claim 19 are also allowable.

Claims 2-12 and newly added claims 20-27 include all of the features of independent claim 1, from which they depend, either directly or indirectly. The rejection of claim 3 based on Gardner al. in view of Raines et al. has been rendered moot in view of the amendments to claim 1. The rejection of claims 4-8 based on Gardner et al. in view of Harada et al. have been rendered moot in view of the amendments to claim 1. Thus claims 2-12 and newly added claims 20-27 are patentable over the art of record for the reasons set forth above.

Claims 15-18 include all of the features of independent claim 14, from which they depend, either directly or indirectly. Thus, claims 15-18 are patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance.

Respectfully submitted,



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Attachments: Abstract, Figures 1-5, copy of return postcard

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